

Serial No.: 10/821,933
Docket No.: 101-1029
Amendment dated: March 6, 2007
Reply to the Final Office Action of January 16, 2007

REMARKS

Introduction

Applicant notes with appreciation the Examiner's indication that claims 23-27 would be allowable if rewritten in independent form.

Upon entry of the foregoing amendment, claims 1-15 and 17-31 are pending in the application. Claims 1-15, 17-21, and 28 are allowed. Claim 22 has been amended. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

Entry of this Amendment is proper under 37 C.F.R. §1.116 because the claim amendments: (a) place this application in condition for allowance (for the reasons discussed herein), (b) do not raise any new issues requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution as indicated in the Final Office Action), (c) present the rejected claims in better form for consideration on appeal (should an appeal be necessary), and (d) are necessary and were not earlier presented because they are made in response to arguments raised in the Final Office Action.

Accordingly, for at least the reasons discussed above, entry of this Amendment is respectfully requested.

Claim 29-31, unaddressed:

In the Amendment of 11 October 2006, new claims 29-31 were added to the application. However, claims 29-31 are not addressed by the Examiner in the current Office Action, nor are they listed as allowed, rejected, or objected to on the Office Action Summary. See Office Action of 16 January 2007, page 1. The Applicant respectfully requests that the finality of the present Office Action be withdrawn and that an opportunity to respond to any objections to these claims be afforded.

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Rejection under 35 USC §102(e): Kameyama et al.:

Claim 22 has been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,046,941 to Kameyama et al. Applicants respectfully request reconsideration and withdrawal of this rejection for at least the following reasons.

Claim 22:

With respect to claim 22, on page 2 of the Office Action of 16 January 2007, the Examiner alleges that all of the limitations of the invention as recited in independent claim 1 are anticipated by Kameyama et al. In particular, the Examiner alleges that:

Kameyama et al. discloses a printer (Col. 1, line 13) comprising a first door (i.e. front cover 16, Fig. 20, Col. 8, line 19) to open a front side, a second door (i.e. side cover 93, Figs. 9, Col. 17, lines 24-27) to open a left side, a third door (i.e. side cover 93, Fig. 10, Col. 17, lines 24-27) to open a right side, and a fourth door (i.e. document pressing cover 83, Fig. 11, Col. 17, line 51) to open a top side of a printer.

However, it is respectfully submitted that Kameyama et al. does not disclose or teach all of the elements of the Applicant's invention as presently recited in independent claim 22, for at least the following reasons.

Kameyama et al. describes a scanner unit 81 which is mounted on a top portion of a main body frame. See Kameyama et al., Col. 13, lines 4-8, figs. 10-11. That is, Kameyama et al. describes a scanner unit 82, separate from main body frame, that is provided with a document table 82 and a document pressing cover 83 to open and close. See Kameyama et al., Col. 16, lines 38-43. That is not the same as "[a]n electrophotographic printer comprising first through fourth doors provided to open left, top, front and right sides of a main body of the electrophotographic printer," as presently recited in independent claim 22.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as contained in the...claim."

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Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).
“The elements must be arranged as required by the claim...” In re Bond, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990).

Accordingly, since Kameyama et al. does not teach all of the elements set forth in independent claim 22 as presently recited, independent claim 22 is patentably distinguishable over Kameyama et al., and withdrawal of this rejection and allowance of this claim are respectfully solicited.

Objection of claims 23-27:

Claims 23-27 are objected to for depending from rejected claim 22. However, since claim 22 is allowable over Kameyama et al. for at least the reasons discussed above, upon withdrawal of the rejection of claim 22, claims 23-27 would no longer depend from a rejected claim and would be allowable. Accordingly, reconsideration of this objection and allowance of these claims are respectfully requested.

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Conclusion

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

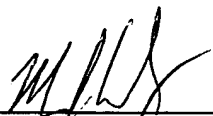
If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 502827.

Respectfully submitted,

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